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Date: October 15, 2004

By:

Sandy Reisman
Sandy Reisman

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: HANS VAN TOOR *ET AL.*

APPLICATION NO.: 10/750,457

FILED: DECEMBER 31, 2003

FOR: **LOW TRANS-FATTY ACID FAT
COMPOSITIONS; LOW-TEMPERATURE
HYDROGENATION, E.G., OF EDIBLE OILS**

EXAMINER: NOT YET ASSIGNED

ART UNIT: 1621

CONF. No: 4983

**Information Disclosure Statement Within Three Months of
Application Filing or Before First Action – 37 C.F.R. § 1.97(b)**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. Timing of Submission

This information disclosure is being filed within three months of the filing date of this application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever occurs last [37 C.F.R. § 1.97(b)]. The references listed on the enclosed Form PTO/SB/08a/b may be material to the examination of this application; the Examiner is requested to make them of record in the application.

2. Cited Information

☒ Copies of the following references are enclosed:

- ☒ All foreign patent documents and non-patent literature documents
- ☐ References marked by asterisks
- ☐ The following:

- ☐ Copies of the following references can be found in parent U.S. Application No.:
- ☐ All cited references
 - ☐ References marked by asterisks
 - ☐ The following:
- ☒ No copies of U.S. patents nor published applications are enclosed.
- ☒ The following reference is not in English. No translation or abstract has been found.
- ☐ All cited references
 - ☒ Reference marked by one asterisk
 - ☐ The following:
- ☒ The following references are not in English. For each such reference, the undersigned has enclosed (i) a translation of the reference; (ii) a copy of a communication from a foreign patent office or International Searching Authority citing the reference, (iii) a copy of a reference which appears to be an English-language counterpart, or (iv) an English-language abstract for the reference prepared by a third party. Applicant has not verified that the translation, English-language counterpart or third-party abstract is an accurate representation of the teachings of the non-English reference, though, and reserves the right to demonstrate otherwise.
- ☐ All cited references
 - ☒ References marked by two asterisks
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3. Effect of Information Disclosure Statement (37 C.F.R. § 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

4. Fee Payment

No fees are believed due because this Information Disclosure Statement is being filed before the mailing date of the first Office Action.

- ☐ Applicant further submits that no fee is due in light of the following certification under 37 C.F.R. § 1.97(e) (check only one):
- ☐ In accordance with 37 C.F.R. § 1.97(e)(1), the undersigned hereby states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; or
- ☐ In accordance with 37 C.F.R. § 1.97(e)(2), the undersigned hereby states that no item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c), more than three months prior to the filing of this statement.

However, should the Commissioner determine that fees are due in order for this Information Disclosure Statement to be considered, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-0665.

5. Patent Term Adjustment (37 C.F.R. § 1.704(d))

- ☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

Respectfully submitted,
Perkins Coie LLP



Edward S. Hotchkiss
Registration No. 33,904

Date: October 14, 2004

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PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/750,457-Conf. #4983
				Filing Date	December 31, 2003
				First Named Inventor	Hans Van Toor
				Art Unit	1621
				Examiner Name	Not Yet Assigned
Sheet	1	of	8	Attorney Docket Number	334498005US2

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-2002/0016519	02-07-2002	Cornelis Lok	
		US-3856710	12-24-1974	KARL J. MOULTON, ET AL.	
		US-4088603	05-09-1978	JAMES L. CARTER, ET AL.	
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		US-4385001	05-24-1983	BRUCE I. ROSEN	
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		US-5223470	06-29-1993	HERMANUS J. BOUWMAN	

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	US-5399792	03-21-1995	GUENTHER DEMMERING	
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	US-6391369	05-21-2002	FRANK R. KINCS	
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	US-6452029	09-17-2002	GERARD HILLION	
	US-6544579	04-08-2003	TODD LANDON	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY			
		EP-0 021 527-B1	05-18-1983	Unilever NV		
		EP-0 021 528-B1	03-23-1983	Unilever NV		
		EP-0 114 704-A2	08-01-1984	Unilever PLC		
		EP-0 120 122-A2	10-03-1984	Olin Corporation		
		EP-0 215 563-A2	03-25-1987	Davy McKee (London) Limited		
	**	EP-0 230 971-A2	08-05-1987	Henkel Kommanditgesellschaft auf Aktien		
		EP-0 246 366-A1	11-25-1987	The Procter & Gamble Company		
		EP-0 277 230	08-10-1988	Rivers, Jacob		

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		EP-0 300 018-B1	01-25-1989	Davy McKee (London) Limited		
		EP-0 314 044-A2	05-03-1989	AIR PRODUCTS AND CHEMICALS, INC.		
		EP-0 389 158	09-26-1990	UBE INDUSTRIES, LTD./CONSIGLIO NAZIONALE DELLE RICERCHE ISTITUTO DI RICERCHE SUI METODI E PROCESSI CHIMICI PER LA TRASFORMAZIONE E L'ACCUMULO		
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		EP-0 429 995-A2	06-05-1991	HELIOS OIJARNA DOMZALE d.o.o.		
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		EP-0 528 850-A1	03-03-1993	THE PROCTER & GAMBLE COMPANY		
		EP-0 534 524-A2	03-31-1993	Unilever NV/Unilever PLC		
		EP-0 569 110-A1	11-10-1993	W.R. Grace & Co. Conn.		
		EP-0 572 081-A1	12-01-1993	Ministero Dell 'Universita' E Della Ricerca Scientifica Tecnologica		
		EP-0 654 074-B1	05-24-1995	The Proctor & Gamble Company		
		EP-0 665 287-A2	08-02-1995	SNOW BRAND MILK PRODUCTS CO., LTD.		
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		EP-0 703 728-B1	04-03-1996	CARGILL, INCORPORATED		
	**	EP-0 745 116-B1	12-04-1996	Degussa Aktiengesellschaft		
		EP-0 757 031-A2	02-05-1997	Pfizer Inc.		
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		EP-0 921 728	06-16-1999	Cargill, Inc.		
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		WO-00/47320-A1	08-17-2000	Imperial Chemical Industries PLC		
Examiner Signature				Date Considered		

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				Art Unit	1621
				Examiner Name	Not Yet Assigned
Sheet	4	of	8	Attorney Docket Number	334498005US2

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		WO-03/59505-A1	07-24-2003	ARCHER-DANIELS-MIDLAND COMPANY		
		WO-88/00855-A1	02-11-1988	RIVERS, Jacob, Boyd, Jr.		
		WO-88/05767	08-11-1988	Davy McKee (London) Limited		
		WO-91/17667-A1	11-28-1991	THE PROCTER & GAMBLE COMPANY		
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
		"PRICAT Catalysts for the Hydrogenation of Edible Oils," http://www.synetix.com/edibleoils/applications-edibleoils.htm , 2 pages July 25, 2003.		
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Examiner Signature		Date Considered	
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Sheet	5	of	8	Attorney Docket Number	334498005US2

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Sheet	6	of	8	Attorney Docket Number	334498005US2

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Examiner Signature		Date Considered	
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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>			Complete if Known		
			Application Number	10/750,457-Conf. #4983	
			Filing Date	December 31, 2003	
			First Named Inventor	Hans Van Toor	
			Art Unit	1621	
			Examiner Name	Not Yet Assigned	
Sheet	7	of	8	Attorney Docket Number	334498005US2

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				Art Unit	1621
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Sheet	8	of	8	Attorney Docket Number	334498005US2

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